



IPW

Customer No. 22,852
Attorney Docket No. 07552.0020

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Silvio Cavalcanti et al.)
) Group Art Unit: **3763**
Application No.: **10/765,149**)
) Examiner:
Filed: **January 28, 2004**)
)
For: **AN APPARATUS AND**)
METHOD FOR MONITORING)
A VASCULAR ACCESS OF A)
PATIENT SUBJECTED TO AN
EXTRACORPOREAL BLOOD
TREATMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§1.56 and 1.97(b), applicants bring to the Examiner's attention the documents listed on attached Form PTO-1449. With the exception of the U.S. Patent Documents and U.S. Publications, copies of the listed documents are attached. Applicants respectfully request that the Examiner consider the documents listed on attached Form PTO-1449 and indicate that they were considered by making an appropriate notation on this form.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

The following are listed on the accompanying PTO-1449 and are in a non-English language:

1. EP 1 020 199 - The relevance of this document is discussed at page 4 of the specification of the present application.

2. EP 1 044 695 - The relevance of this document is discussed at pages 2 and 3 of the specification of the present application. An English language abstract of this document is enclosed.

3. EP 0 773 035 - The relevance of this document is discussed at page 6 of the specification of the present application. An English language abstract of this document is enclosed.

4. WO 02/04044 - The relevance of this document is discussed at pages 5 and 6 of the specification of the present application. An English language abstract of this document is enclosed.

The following are listed on the accompanying PTO-1449 and are in a non-English language:

1. EP 0097366
2. EP 0272414
3. EP 0845273
4. EP 0272414
5. EP 0943369
6. EP 0900094
7. WO 9817334
8. DE 19541783
9. DE 19537688

10. DE 19528907
11. DE 4024434
12. DE 19901078
13. SU 521891
14. ES 2026508T
15. JP 5 236990
16. JP 60 190873
17. WO 9832477

In lieu of a statement of relevance or translation of the listed non-English language documents, an English-language abstract of the documents is enclosed.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

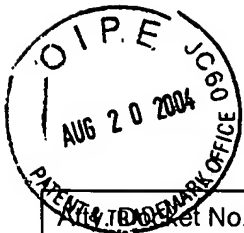
FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: August 20, 2004

By: 

Ernest F. Chapman
Reg. No. 25,961

Enclosures
EFC/FPD/mld



OMB No. 0651-0011

INFORMATION DISCLOSURE CITATION

Patent No. 07552.0020	Application No. 10/765,149
Applicant Silvio Cavalcanti et al.	
Filing Date January 28, 2004	Group: 3763

U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
	2,709,785	5/31/55	J. E. Fielden			
	3,324,720	6/13/67	G. F. Sutherland			
	3,396,331	8/6/68	E. A. Sperry III			
	3,404,336	10/1/68	R. Rosenthal			
	3,450,984	6/17/69	J. F. Holmes			
	3,482,575	12/9/69	C. L. Claff et al.			
	3,619,423	11/9/71	Galletti et al.			
	3,722,276	3/27/73	Chandler et al.			
	3,867,688	2/18/75	Koshi			
	3,980,346	9/14/76	Leiber			
	3,985,134	10/12/76	Lissot et al.			
	3,987,788	10/26/76	Emil			
	4,081,372	3/28/78	Atkin et al.			
	4,136,563	1/30/79	Mueller et al.			
	4,138,639	2/6/79	Hutchins			
	4,181,610	1/1/80	Shintani et al.			
	4,361,049	11/30/82	Volgyesi			
	4,446,871	5/8/84	Imura			
	4,508,622	4/2/85	Polaschegg et al.			
	4,650,458	3/17/87	Dahlberg et al.			
	4,715,849	12/29/87	Gion et al.			

Examiner	Date Considered
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	4,739,492	4/19/88	Cochran			
	4,740,755	4/26/88	Ogawa			
	4,825,168	4/25/89	Ogawa et al.			
	4,995,268	2/26/91	Ash et al.			
	5,004,459	4/2/91	Peabody et al.			
	5,024,756	6/18/91	Sternby			
	5,092,836	3/3/92	Polaschegg			
	5,098,373	3/24/92	Polaschegg			
	5,312,550	5/17/94	Hester			
	5,372,136	12/13/94	Steuer et al.			
	5,442,969	8/22/95	Troutner et al.			
	5,453,576	9/26/95	Krivitski			
	5,507,723	4/16/96	Keshaviah			
	5,510,716	4/23/96	Buffaloe, IV et al.			
	5,510,717	4/23/96	Buffaloe, IV et al.			
	5,518,623	5/21/96	Keshaviah et al.			
	5,588,959	12/31/96	Ahmad et al.			
	5,595,182	1/21/97	Krivitski			
	5,605,630	2/25/97	Shibata			
	5,662,806	9/2/97	Keshaviah et al.			
	5,685,989	11/11/97	Krivitski et al.			

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	5,830,365	11/3/98	Schneditz			
	5,866,015	2/2/99	Krämer			
	5,902,253	5/11/99	Pfeiffer et al.			
	3,964,479	6/22/76	Boag et al.			
	3,491,592	1/27/70	R. W. Evers et al.			
	3,640,271	2/8/72	Horton			
	5,357,967	10/25/94	Dixon et al.			
	6,189,388 B1	2/20/01	Cole et al.			
	5,058,416	10/22/91	Engelhardt et al.			
	4,885,087	12/5/89	Kopf			
	4,885,001	12/5/89	Leppert			
	5,894,011	4/13/99	Prosl et al.			
	4,856,321	8/15/89	Smalling et al.			
	5,230,341	7/27/93	Polaschegg			
	4,391,124	7/5/83	Drost et al.			
	4,432,231	2/21/84	Napp et al.			
	4,434,648	3/6/84	Drost et al.			
	5,230,341	7/27/93	Polaschegg			
	4,777,938	10/18/88	Sirota			
	4,797,655	1/10/89	Orndal et al.			
	4,856,321	8/15/89	Smalling et al.			

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Examiner Initial*		Document Number	Issue Date (Pub. Date)	Name	Class	Sub Class	Filing Date If Appropriate
		4,923,598	5/8/90	Schäl			
		5,570,026	10/29/96	Buffaloe, IV et al.			
		5,644,240	7/1/97	Brugger			
		5,900,726	5/4/99	Brugger et al.			
		5,662,806	9/2/97	Keshaviah et al.			
		5,518,623	5/21/96	Keshaviah et al.			
		5,507,723	4/16/96	Keshaviah			
		5,442,969	8/22/95	Troutner et al.			
		5,372,136	12/13/94	Steuer et al.			
		6,177,049 B1	1/23/01	Schnell et al.			
		US 2001/0031222 A1	(10/18/01)	Schnell et al.			
		6,117,099	9/12/00	Steuer et al.			
		6,210,591 B1	4/3/01	Krivitshi			
		US 2001/0050256 A1	(12/13/01)	Krivitshi			
		6,153,109	11/28/00	Krivitshi			
		5,685,988	11/11/97	Malchesky			
		6,308,737 B1	10/30/01	Krivitski			
		3,433,935	3/18/69	H. Sherman			
		3,733,899	5/22/73	Auphan et al.			
		3,446,073	5/27/69	M. Auphan et al.			
		3,561,266	2/9/71	M. Auphan et al.			

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	3,604,263	09/14/71	Auphan et al.			
	3,545,428	12/8/70	Webster, Jr.			
	4,167,870	9/18/79	Haas			
	4,153,418	5/8/79	Haas			
	4,822,341	4/18/89	Colone			
	5,357,967	10/25/94	Dixon et al.			
	5,100,554	3/31/92	Polaschegg			
	5,024,756	6/18/91	Sternby			
	4,508,622	4/2/85	Polaschegg et al.			
	6,189,388 B1	2/20/01	Cole et al.			
	6,061,590	5/9/00	Krivitski			
	6,623,443 B1	9/23/03	Polaschegg			
	6,090,048	7/18/00	Hertz et al.			
	6,189,388 B1	2/20/01	Cole et al.			
	6,221,040 B1	4/24/01	Kleinekofort			

FOREIGN PATENT DOCUMENTS							
		Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
		EP 0097366	1/4/84	EUROPE			ABSTRACT ONLY
		EP 0272414	6/29/88	EUROPE			ABSTRACT ONLY
		EP 0693296	1/24/96	EUROPE			

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	EP 0845273	6/3/98	EUROPE			ABSTRACT ONLY
	EP 1106191	6/13/01	EUROPE			
	EP 1044695	10/18/00	EUROPE			ABSTRACT ONLY
	EP 0018817	11/12/80	EUROPE			
	EP 0089003	9/21/83	EUROPE			
	EP 0928614	7/14/99	EUROPE			
	EP 0835669	4/15/98	EUROPE			
	EP 0590810	4/6/94	EUROPE			
	EP 0693297	1/24/96	EUROPE			
	EP 1083947	3/21/01	EUROPE			
	EP 0272414	6/29/88	EUROPE			ABSTRACT ONLY
	EP 0773035	5/14/97	EUROPE			ABSTRACT ONLY
	EP 0693296	1/24/96	EUROPE			
	EP 0943369	9/22/99	EUROPE			ABSTRACT ONLY
	EP 0900094	3/10/99	EUROPE			ABSTRACT ONLY
	EP 1020199	7/19/00	EUROPE			NO
	WO 9701289	1/16/97	WIPO			
	WO 9832477	7/30/98	WIPO			ABSTRACT ONLY
	WO 9817193	4/30/98	WIPO			
	WO 9817334	4/30/98	WIPO			ABSTRACT ONLY

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	WO 9608305	3/21/96	WIPO			
	WO 0074732	12/14/00	WIPO			
	WO 9964088	12/16/99	WIPO			
	WO 0018451	4/6/00	WIPO			
	WO 0204044	1/17/02	WIPO			ABSTRACT ONLY
	WO 0108719	2/8/01	WIPO			
	WO 9710013	3/20/97	WIPO			
	WO 9964088	12/16/99	WIPO			
	DE 19541783	3/27/97	GERMANY			ABSTRACT ONLY
	DE 19537688	5/2/96	GERMANY			ABSTRACT ONLY
	DE 19528907	11/7/96	GERMANY			ABSTRACT ONLY
	DE 4024434	2/13/92	GERMANY			ABSTRACT ONLY
	DE 19901078	2/17/00	GERMANY			ABSTRACT ONLY
	GB 2093192	8/25/82	UNITED KINGDOM			
	SU 521891	7/25/76	Russian Federation			ABSTRACT ONLY
	ES 2026508T	5/1/92	SPAIN			ABSTRACT ONLY
	JP 5 236990	9/17/93	JAPAN			ABSTRACT ONLY
	JP 60 190873	9/28/85	JAPAN			ABSTRACT ONLY

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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
	HESTER, ET AL.; "A new Technique for Determining Recirculation in the ESRD Patient", Nephrology News & Issues, pp. 44-45, (1993)
	PETITCLERC ET AL.; "A Model for Non-invasive Estimation of in vivo Dialyzer Performances and Patient's Conductivity During Hemodialysis", The international Journal of Artificial Organs, vol. 16, no. 8, pp. 585-591, (1993)
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	DEPNER; "Changes In Access Blood Flow (Qac) and Appearance of Recirculation (RC) During Hemodialysis", XIII th International Congress of Nephrology, Abstract, p. 570 (1995)
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	New Technology From In-Line Diagnostics (brochure), "Noninvasive Blood Volume Monitoring", 2 pages, (1994)
	In-Line Diagnostics (brochure), "The Crit-Line System", 4 pages.
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